IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE ANTONY DOMINIC

WEDNESDAY, THE 5TH DECEMBER 2007 / 14TH AGRAHAYANA 1929

WP(C).No. 35982 of 2007(H)

PETITIONER:

K.T.NICHOLAS, AGED 56 YEARS,
S/O.K.T.THOMAS, KARIMPANAL ARCADE,
EAST FORT, THIRUVANANTHAPURAM.

BY ADV. SRI.JOHN JOSEPH VETTIKAD
SRI.C.JOSEPH JOHNY

RESPONDENTS:

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1. THE CORPORATION OF THIRUVANANTHAPURAM,
REPRESENTED BY ITS SECRETARY.

2. THE TAXATION APPEALS STANDING COMMITTEE
OF THIRUVANANTHAPURAM CORPORATION,
REPRESENTED BY ITS CHAIRMAN.

BY GOVT. PLEADER SRI GOVINDAN

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 05/12/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ANTONY DOMINIC, J.

W.P.(C) 35982 OF 2007

Dated: December 5, 2007

JUDGMENT

The matter arises under the Kerala Building Tax Act. Ext.P1 is an order of the Tribunal for Local Self-Government Institutions setting aside the decision of the 2nd respondent and directing it to pass a reasoned order on the petitioner's appeal. It is stated that again, the consequential order that was passed, was challenged before the said Tribunal and the appeal was disposed of by Ext.P2. In Ext.P2 the 2nd respondent was again directed to take a fresh decision in compliance with Ext.P1. In the said order the petitioner was also given an opportunity to adduce evidence regarding the rent prevailing in the area and the annual value of similar and similarly situated buildings.

2. The petitioner submits that in pursuance to the said orders, he was heard on 16.3.2007 and he had produced Exts.P4 to P6. It is submitted that no orders were passed and, as a result of which, the petitioner submitted Ext.P7 reminder to the 2nd respondent. Presently what is complained of is that despite all that has happened after Ext.P2, no final orders have been passed till date.

3. Taking into account the above submissions, I do not find any reason for the 2nd respondent to have delayed the process so much.

4. In view of this, this writ petition is disposed of directing that the 2nd respondent shall pass final orders in the matter pursuant to Ext.P2 order of the Tribunal and taking into account the documents that have been produced by the

petitioner as Exts.P4 to P6. This the 2nd respondent shall do within six weeks of date of production of a copy of this judgment.

ANTONY DOMINIC, JUDGE

mt/-